

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Clerk's Office

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: MAY 20 2008

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TANGSHAN SHIAJICHENHUI IRON AND
STEEL PRODUCTS CO. LTD.,

08 Civ. 3576 (PAC)

Plaintiff,

- against -

LORDS POLYMER (I) PVT. LTD.; BLUE FLEET
MANAGEMENT COMPANY LTD.; BLUE FLEET
CHARTERING S.A.; and BELINDA BLUE
OCEAN INC.,

ORDER and JUDGMENT

Defendants.

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WHEREAS, defendant Lords Polymer (I) Pvt., Ltd., brought by Order to Show Cause dated May 13, 2008, a motion seeking an order vacating the process of maritime attachment and garnishment (hereinafter "PMAG") against it, in ~~favor~~ ^{favor} of plaintiff Tangshan Shajichenhui Iron and Steel Products Co., Ltd.; and

WHEREAS, the parties had an opportunity to fully brief the issues raised in the motion; and

WHEREAS, the Court heard oral argument of the motion on May 19, 2008; and

WHEREAS, following oral argument and after consideration of the papers filed in relation to the motion and upon all prior pleadings filed in the matter, the Court ruled that the dispute between plaintiff Tangshan Shajichenhui Iron and Steel Products Co., Ltd., and defendant Lords Polymer (I) Pvt., Ltd., was not cognizable under the Court's admiralty and maritime jurisdiction.

NOW, THEREFORE, it is hereby:

ORDERED that the PMAG issued pursuant to the Court's Order dated April 15, 2008, is vacated as to defendant Lords Polymer (I) Pvt., Ltd.; and it is further

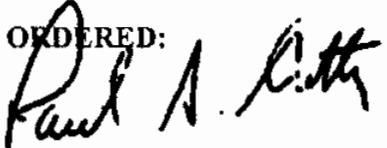
ORDERED that any and all goods, chattels, credits, letters of credit, bills of lading, debts, effects and monies, funds, wire transfers, accounts, electronic fund transfers, freights, sub-freights, charter hire, sub-charter hire, or any other tangible or intangible property being held or restrained by or on account of the PMAG are to be released forthwith and wired in accordance with their original instructions or in accordance with instructions received from Lords Polymer (I) Pvt., Ltd., as conveyed by its counsel; and it is further

ORDERED that this matter be discontinued with prejudice and without costs as to Lords Polymer (I) Pvt., Ltd.; and it is further

ORDERED that this Order shall have no effect upon any other defendant not specifically named in this Order and Judgment.

Dated: New York, New York
May 20, 2008

SO ORDERED:


U.S.D.J.

Date

United States District Court
Southern District of New York
Office of the Clerk
U.S. Courthouse
500 Pearl Street, New York, N.Y. 10007-1213

Date:

In Re:

-v-

Case #: ()

Dear Litigant,

Enclosed is a copy of the judgment entered in your case.

Your attention is directed to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, which requires that if you wish to appeal the judgment in your case, you must file a notice of appeal within 30 days of the date of entry of the judgment (60 days if the United States or an officer or agency of the United States is a party).

If you wish to appeal the judgment but for any reason you are unable to file your notice of appeal within the required time, you may make a motion for an extension of time in accordance with the provision of Fed. R. App. P. 4(a)(5). That rule requires you to show "excusable neglect" or "good cause" for your failure to file your notice of appeal within the time allowed. Any such motion must first be served upon the other parties and then filed with the Pro Se Office no later than 60 days from the date of entry of the judgment (90 days if the United States or an officer or agency of the United States is a party).

The enclosed Forms 1, 2 and 3 cover some common situations, and you may choose to use one of them if appropriate to your circumstances.

The Filing fee for a notice of appeal is \$5.00 and the appellate docketing fee is \$450.00 payable to the "Clerk of the Court, USDC, SDNY" by certified check, money order or cash. No personal checks are accepted.

J. Michael McMahon, Clerk of Court

by: _____

, Deputy Clerk

APPEAL FORMS

Docket Support Unit

Revised: April 9, 2006

United States District Court
Southern District of New York
Office of the Clerk
U.S. Courthouse
500 Pearl Street, New York, N.Y. 10007-1213

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NOTICE OF APPEAL

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X

Notice is hereby given that _____
(party)
hereby appeals to the United States Court of Appeals for the Second Circuit from the Judgment [describe it]

entered in this action on the _____ day of _____, _____.
(day) (month) (year)

(Signature)

(Address)

(City, State and Zip Code)

Date: _____ () _____
(Telephone Number)

Note: You may use this form to take an appeal provided that it is received by the office of the Clerk of the District Court within 30 days of the date on which the judgment was entered (60 days if the United States or an officer or agency of the United States is a party).

FORM 1

United States District Court
Southern District of New York
Office of the Clerk
U.S. Courthouse
500 Pearl Street, New York, N.Y. 10007-1213

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MOTION FOR EXTENSION OF TIME
TO FILE A NOTICE OF APPEAL

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X

Pursuant to Fed. R. App. P. 4(a)(5), _____ respectfully
(party)
requests leave to file the within notice of appeal out of time. _____
(party)
desires to appeal the judgment in this action entered on _____ but failed to file a
(day)
notice of appeal within the required number of days because:

[Explain here the "excusable neglect" or "good cause" which led to your failure to file a notice of appeal within the required number of days.]

(Signature)

(Address)

(City, State and Zip Code)

Date: _____

() _____ - _____
(Telephone Number)

Note: You may use this form, together with a copy of Form 1, if you are seeking to appeal a judgment and did not file a copy of Form 1 within the required time. If you follow this procedure, these forms must be received in the office of the Clerk of the District Court no later than 60 days of the date which the judgment was entered (90 days if the United States or an officer or agency of the United States is a party).

APPEAL FORMS

Docket Support Unit

Revised: April 9, 2006

FORM 2

United States District Court
Southern District of New York
Office of the Clerk
U.S. Courthouse
500 Pearl Street, New York, N.Y. 10007-1213

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NOTICE OF APPEAL
AND
MOTION FOR EXTENSION OF TIME

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X

1. Notice is hereby given that _____ hereby appeals to
(party)
the United States Court of Appeals for the Second Circuit from the judgment entered on _____
[Give a description of the judgment]

2. In the event that this form was not received in the Clerk's office within the required time
respectfully requests the court to grant an extension of time in
(party)
accordance with Fed. R. App. P. 4(a)(5).

a. In support of this request, _____ states that
(party)
this Court's judgment was received on _____ and that this form was mailed to the
(date)
court on _____
(date)

(Signature)

(Address)

(City, State and Zip Code)

Date: _____ () _____
(Telephone Number)

Note: You may use this form if you are mailing your notice of appeal and are not sure the Clerk of the District Court will receive it within the 30 days of the date on which the judgment was entered (60 days if the United States or an officer or agency of the United States is a party).

FORM 3

**United States District Court
Southern District of New York
Office of the Clerk
U.S. Courthouse
500 Pearl Street, New York, N.Y. 10007-1213**

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AFFIRMATION OF SERVICE

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X

I, _____, declare under penalty of perjury that I have

served a copy of the attached _____

upon _____

whose address is: _____

Date: _____
New York, New York

(Signature)

(Address)

(City, State and Zip Code)